

UNITED STATES DISTRICT COURT
for the
District of Nebraska

United States of America

v.

DEANTE CHAVATE LEVI GAINES

Date of Original Judgment: 07/07/2009

Date of Previous Amended Judgment: 07/07/2010

(Use Date of Last Amended Judgment if Any)

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Case No: 4:08CR3145

USM No: 22482-047

David R. Stickman

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 52 months **is reduced to** 42 months .

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 7/7/2010 shall remain in effect.

IT IS SO ORDERED.

Order Date: November 28, 2011

s/ Warren K. Urbom

Judge's signature

Effective Date:
(if different from order date)

Warren K. Urbom, United States Senior District Judge
Printed name and title